

1885-044 Chancery Causes: Connally F. Trigg for to vs. Andrew E. Callahan
Lee Co.

Johnston, Campbell, Speak, Hutton, Callihan, Ely

CA-Debt
T-Property

-Deed

To the Honorable John S. Kelly Judge of the
Circuit Court of Lee County -

Your orator lawfully H. Trigg surviving ob-
ligee of himself and Rev. R. Johnston now deceased
who sues for the benefit of Joseph T. Campbell
humbly complaining sheweth unto your honor
that on the 22. day of March 1853, Andrew E.
Callahan, made and executed his certain writing
obligatory sealed with his seal and signed with
his signature, on the day and year last aforesaid
by which he bound himself to pay twelve months
after the date thereof the sum of thirty seven dol-
lars and fifty cts, ~~which was for services rendered to~~
orator, and the said Rev. R. Johnston then living, for
professional services rendered by them as attorneys
in the Circuit Court of the United States.

This said bond is a division of notes and
your orator & the said Johnston fell to the latter
and was by him transferred for value to the said
Jos T. Campbell, to whom the same is now
due. No part thereof ever having been paid
to any of the parties aforesaid. The said bond
is herewith filed marked A. and is prayed
to be considered as part hereof.

Your orator now alleges that Andrew E.
Callahan is a non resident of this common-
wealth, but owns lands situate in this county
in the Whitesides district, on Trading Creek in
the neighborhood of Graybees Tavern and
consists of one sixth part of a Tract of 465-
acres which descend to him as one of the
ays also one sixth part of equal amount in said land which he purchased
his of ~~Callahan~~ Callahan deceased, the rent
and profits of which will contain five years

pay your orators claims and the costs of this
suit. The object of this suit is to attach said
lands and subject them to your orators claim and
to have a decree rendered in his favor to that
effect.

His prayer therefore is that said Andrew E.
Callahan, be made a party defendant to
this bill and answer its allegations on oath
that on a hearing a decree be rendered in favor
of your orator for the amount due him, and to
see so much of said lands as are nec-
essary to pay the same, and for all other
further and general relief that may be required.

Wm. H. Hardman

C 6.27
A 15.00
S .80
Pr 5.00

\$26.77

Estimated 10.00
36.77

6 93 to July 1881

37.70

On lch 5.51 to July 1881

27. " 4.36 Dismissing

March 25 1885

Hutton & Spear
on their petition

C 6.54

Pr 5.00

\$11.54

Annally H. Tigg

Bice chr on
fingis attachment.

Anchur. E. Callahan

1875 July Bill Filed, Spania et al.

O. P. & Continued

" Aug & Sept. Conts for O. P.

" Oct. O. P. Conts for Deere nisi.

" Nov Deere nisi Conts for

hearing by Plaintiff.

" Dec Deere nisi Conts.

1876 Mar Deere nisi Conts.

" Aug & Nov Conts.

1877 Mar Aug

1878 Aug Deere nisi Conts.

" Nov Conts.

1879 Mar Conts.

" Nov Deere nisi Conts.

1880 March Decree & Contd.

1880 Aug Conts.

1881 Mar Conts. Aug Conts.

1882 March Decree & Contd.

1883 Contd this year

1884 " " "

1885 Mr. Deere nisi

To the Honorable John A. Kelly Judge
of the Circuit Court of Lu County in
your Petitioners John Sprack and
Mr. Hutton would represent and show
to your Honor that in the Chancery cause
of the said John Sprack & others vs. Mary
Callihane & others lately decided in your
Honor's Court, they obtained a judgment
vs. Andrew Callihane for the sum of
\$24.00 subject to a credit of \$2.07 which
said judgment was for costs of said suit,
which costs have all been paid by your petition-
ers. which will fully appear by an execution
issued in said cause which went into the
hands of Thomas S. Ely Sheriff and has
by him been returned satisfied as fully ap-
pears by a copy of said execution filed here
with marked (A), which with the endorse-
ments thereon is made part of this petition.

The said Andrew Callihane is not a resident
of Virginia but he has effects here, and your
petitioners allege that said effects arise in
this way. Corneally H. Freyq Supervisor filed
a bill in your Honor's Court on the Chancery
side tending to enforce a judgment or collect
a debt due from said Andrew Callihane
in which said Callihane's lands were sold
and there is a balance of money in the hands
of R. L. Pridmore Commissioner who

sold said land sufficient to pay the debt
due your petitioners. Now the object of
this Petition is to have a decree rendered
in the cause of Conolly F. Lry & Surmon
vs Andrew & Colclahan directing said
Prothonotary as Commissioner to pay to
them said sum of money yet due them
from said Colclahan with interest there
on from the date of payment made by
them as shown on said Execution.

and to this end they pray if necessary that
the plaintiff be compelled to amend his
bill making these petitioners parties to.

And for such other further Special and
General relief as is suited to their case

Duncan for
Sproull & Hutton.

Virginia.

Lee County to wit;—

This day Wm. J. Hutton and John
Spears personally appeared before
and made oath in due form that
the facts stated in the foregoing
are true, so far as stated upon their
own knowledge, and so far as
stated upon information as derived
from others they believe them to be true.

given under my hand this
the 28th March 1882

J. A. Hyatt Clerk

John Speake et als

vs. $\frac{2}{3}$ Petitioner

Andrew C. Callahan

Filed March 1882

J. A. Hyatt
Clerk

Virginia

At a circuit court continued and held for Lee
County at the Court house thereof, September 4th 1877.

John Speak & others
vs

Defts

In Chancery

Mary E. Callihaw & others

Defts

This day &c &c # # #. It is further
adjudged ordered and decreed, that the
costs of this suit be paid by the parties
according to their rights and interests in
said land partitioned, and that to the
extent of the costs paid by the Plaintiffs
they may have executions against the
other parties for their proportionate part
of the same. # # # # #

A Copy Testo.

J. A. Hyatt clerk

John Speak et al
vs ³/₃ Copy of Secru
Mary Calloham et al,

See to Hyatt for Copy - .25^c

To the Honorable John A. Kelly Judge of the
Circuit Court of Lee County Virginia

The answer of Joseph G. Campbell
Mary G. Campbell Robert R. Campbell by
C. J. Duncan Their Guardian ad litem, to
a rule to show cause & filed in the chancery
cause of Connally & Trigg Survivors vs
Andrew G. Callahan.

Said Infants by Their Guardian answering
said Rule say That This is a rule to show cause
why said land should not be sold, &c.

These infants nor Their Guardian know
no cause to allege why said land should
not be sold in fact it is perhaps under
the peculiar circumstances of these infants
with reference to the financial condition of
Their father ^{but} that said land should be sold.

But these defendants are infants, and are
therefore unadvised as to what is really Their
interest, they trust Their rights in the hands of your
Honors Court, and having now answered they
pray to be hence dismissed &c.

C. J. Duncan Guardian

ad litem for infant D. & T.

Subscribed to before me, Sept 4th 1878.

James H. Orr, Clerk.

Cornelly & Trigg Sur-
vs

M Answer of
M Guardian ad Litem

Andrew Callaghan

Filed Sept 4th 1878.

Wm. M. Clark

Conally F. Trigg for vs. Peff
vs.
A E Gallaham Deft. } In ldy.

This cause came on further to be heard this day on the papers formerly read. and the report of Cmt. Pridmore dated this 30th day of March 1885 showing that he had conveyed by proper deed, the land in the bill mentioned to Mr. J. Hutton. and was argued by counsel. And said report being unaccepted to. On consideration of which it is adjudged ordered & decreed that said report and deed be confirmed and that said Hutton pay to said A E Pridmore \$5.00 for making said deed. and no further action being necessary in the cause the parties are hence dismissed & the cause stricken from the docket.

Gonally F. Trigg for

ss. } Deem - Final

A.E. Callahan

W. H. L. 1883 -

Ento.

J. R. G. L. M.
J. R.

Enter this

Mar 30 1883

J. R. G. L. M.

Benally F. Trigg for +: Peff
 do.
 Andrew E. Bullen D. ft. } In Chy.

This cause came on again to be further heard
 this day, on the papers heretofore read in the cause
 and the report of Court. A. L. Pridemore filed in the
 cause March the 27th 1855. and was argued by counsel
 and the said report showing that William Hutton
 the purchaser of the Tract of land in the bill mentioned
 consisting of two shares of the Calabum land, had been
 fully paid, and said report being accepted to
 On consideration of all which it is adjudged
 ordered & Decreed that said report be confirmed
 And A. L. Pridemore is appointed a commissioner
 for the purpose who is directed to convey by proper
 deed with covenants of special warranty the land
 in the bill and proceedings mentioned to the said
 William J. Hutton. and said commissioner will
 report his action to the Court, and until the coming
 in thereof the cause is continued:

Canally F. Trigg for.

no. { Dam

A.E. Callahan

March Term 1895.

Entered C.B. Page
L.S. J.R. Gilman & Co.

Entered
Mar. 28/85
Jm. A.K.

Connally & Trigg survivors to Plff

vs

3 In chcy

Andrew Callahan

Def

and

John Spease & Wm J Hutton Plff

vs

3 on a Petition in chcy

The Same

3 Def

These causes came on again this 8th day of September 1882 to hear upon the papers formerly read in the first cause, the petition of said Hutton & Spease the order of publication against the said Andrew Callahan who is a non-resident of the State of Virginia the deposition filed in said petition and was argued by counsel and it appearing to the Court that the order of publication directed in the last above styled cause at the last term of this Court has been duly made posted and completed for more than 30 days before the first day of this term and that said Defendant has failed to appear answer or deny the said Spease's & Hutton's petition it is taken for confessed against him, and it appearing to the Court that said petitioners have paid for said Andrew Callahan the sum of \$24.00 less \$2.07 on a judgment for costs incurred in the chancery cause

lately decided in this court of John Sprad
wife & others vs Mary Callahan & others, and
that said sum with interest thereon from
the 28 day of March 1880 till paid is still
due them from said Andrew Callahan

it is therefore adjudged ordered & decreed
that A L Pridemore Commissioner in
the ^{first} above styled cause pay to John Sprad
the sum of \$21,93 with legal interest thereon
from the 28th day of March 1880 till paid
out of any money in his hands or which
will come into his hands belonging
to the said Andrew Callahan said
Commissioner will take this receipt
for the same which when so taken shall
constitute a credit to him on the sum
in his hands or to come into his hands
due or going to said Callahan and
it is further adjudged and decreed that
the petitioners recover from Andrew
Callahan their costs about this petition
expended and these causes are continued.

John Sprad et al
vs
Mary Callahan

Andrew Callahan

in.
became of
lawfully owing for

vs
Andrew Callahan

Enter this

Sept 8 1882

Connally F. Trigg, Survivor &c. Pltff
28
Andrew E. Callahan
3 In choy.
Dft

This cause came on again this day to be heard upon the papers formerly read and the petition of John Spease & W^m J. Hutton filed in this cause on a former day of this term. and was argued by counsel. And said Petitioners claiming to be judgment creditors of the Defendant Andrew E. Callahan and seeking to subject a fund now in the hands of A. S. Pridemore's Commission in the cause, ^{to the payment of their own judgment} and it being admitted in open Court that the said Andrew E. Callahan is a non resident of the State of Virginia, it is adjudged ordered and decreed that he be summoned by publication, in the Lu County Sentinel a newspaper published in this County for four successive weeks to appear here on the 1st day of the next term of this Court to answer said petition and show cause if any he can why the prayer of said petitioners shall not be granted and this cause is continued till the next term.

Counally F. Trigg for + 4

25. $\frac{1}{2}$ Decu

Andrew C. Callahan

Entered by page 258. 19

L. O. Hyatt
Clerk.

Enter This decu

L. O. Hyatt

Apr 5th 1882.

Leannally H. Trigg foroc. Plff

Against

Andrew E. Leallham Deft

} Inchy.

This cause came on again this day to be heard upon the papers formerly read and the report of A. L. Pridemore Comr. filed Feb 20 1880. and was argued by Counsel, on consid-

eration whereof and for reasons appearing to the Court, it is adjudged ordered and decreed

that the sale reported to Wm. J. Hutton be and a writ of possession is ordered to be issued by the Clerk the same is confirmed, and the bond of John Spok and A. L. Leallham dated March 27th 1879

be and the same is hereby canceled and annulled and the same directed to be delivered by Commissioner Pridemore to said Spok & Leallham.

And the said Commissioner will as the said purchase money falls due, collect the same, and after retaining $\frac{1}{2}$ commission due himself on 2^d sale will pay out to the creditor the debt in the bill mentioned and the surplus if any hold subject to the future order of the Court - And should the purchaser desire to pay any part of said purchase money, before the same falls due the said Comr, will receive the same and pay out as herein directed. But before

for said land in favor of the purchaser upon the following

receiving any sum hereunder the court will
execute bond in a penalty of \$500. before the
clerk of this court conditioned for the due
performance of this decree. He will re-
port his action to this court at some
future term & the cause is continued.

Legally F. Trigg for e

v.s. Decree

Andrew E. Leallahan

March J. 1880

Entered on fr-102
Leate. for W. O. O. O. O.

Enter this decree

March. 27th 1880

J. A. K.

Annally F. Trigg for &c. off.

Against

} Dr Chy.

Andrew E. Leachman Sept ()

This cause came on again this day to be heard upon the papers formerly read & the report of Commissioner A. L. Pickens filed Oct. 27th 1879, and the upset-bid of Wm. J. Hutton filed at the present term of the Court and was argued by counsel. And it appearing to the Court, that said Hutton has proposed & bound himself to advance the bid of the former sale, a sufficient sum to warrant a new sale, the sale heretofore made by Commissioner A. L. Pickens is annulled & set aside. And said Commissioner directed to repay to the former purchaser, the cash payment advanced by him for costs, and that he cancel the said notes executed to him for said land, And then that he advertise and offer again ^{as provided in a former decree to him directed} at the place & upon the terms for sale, the said land or so much thereof as may be necessary to pay said debts & costs, But in offering said land for sale he will cry first the upset bid of said Wm. J. Hutton at the amount proposed by him, \$260 for the whole tract, and so continue to cry for the highest ~~bid for the whole tract~~ ^{bid for} ~~the whole tract~~ ^{the} ~~land~~ ^{land}.

Occasionally F. Trigg gave

24 } Decr

Andrew E. Callahan

Nov. 5. 1879

Print page 64 & 65
Jas W. C. Co. Clk.

Enter this Decr
Dec. 2 1879
J. A. K.

He was charged off and assigned to said purchase as
much as the rate of sale of the said
~~and the said rate of sale of the said~~
~~of said stock as may be necessary to pay the~~
~~stock is a very large sum of money and the~~
~~and the stock of the said. He will report~~
his action to this Court at some future time and the
Court is satisfied.

to make of said stock.

Kennally H. Trigg svs

vs

} De Ch

Andrus E. Callahan

this case is in the name of H. V.

on the motion of the plff.

Lyphid as admr of J. T. Campbell

this case came

on again this day to be heard upon the papers formerly read & the report of

A. L. Prichard commissioner filed Aug.

10th 1878. And was argued by counsel - on

consideration whereof, and for reasons

appearing to the court, G. T. Duncan is ap-

pointed Guardian ad litem for Joseph G.

Campbell, Mary G. Campbell & Robert R. Campbell

infant children of Jas. T. Campbell deceased

And it is further ordered that, Jas. G. Campbell

Mary G. Campbell & Robert R. Campbell,

infants, by their said Guardian do appear

here on the 6th day of this term & show

cause if any they can why said lands

shall not be sold, for the payment of

the costs & charges thereon. And the cause is

continued until that day.

can order to protect rights of said parties

Normally 4 Trigs Surve

vs. Secu.

Andrew E. Callahan

Aug. 7. 1878

Entered Page 783.

R. W. Orr Jr. D.C.

Enter this
Sept 18th 1878
h. A. K.

sale, and pay the residue to officers of court -
 And the plff has leave to amend his bill so
 as to suggest any further interest in land
 owned by the defendant - The Commissioner will
 report his action to this Court & the cause is con-
 tinued.

Annally 7. Trig & 200. 1878

20 } Decree

Andrew E. Lealokam

Aug. 1. 1878

Entered Page 3

J. M. Orr & Co.

Enter this

Sept. 4th 1878

J. M. Orr

Normally H. Trigg, for &c. Plff.

Against

} In chancery.

Andrew E. Callahan . . . vs

This cause came on again this day to be heard upon the papers formerly read and the report of A. L. Prichard special commissioner, filed March 2^d 1876, which being more than 10 days before the commencement of this term, and no exceptions being filed thereto ^{and the sale then mentioned is the same as confirmed} the same is confirmed.

On consideration whereof and for various appearing to the Court, it is adjudged ordered and decreed that A. L. Prichard former commissioner make and execute to the plaintiff or purchaser of the defendants, undivided interest in the land in the bill mentioned, a deed with covenants of special warranty; and when so made and executed by the said Commissioner, and delivered to the clerk of this Court for the plff, and the same is accepted by him, the same, shall constitute, by the plff's agreement by his counsel a full satisfaction of his claim and costs against the defendant. He will report his action to this Court at some future term and the cause is continued.

Cannally F. Trigg fmsc

06³/₈ Decr.

Subm & Callahan

March 5, 1876

Entered under Book page
498

James H. Clark.

Entered this decr

March 5, 1876.

J. H. K.

Cornally H. Trigg suror. Plff.
vs

} In chancery

Answered E. Callahan. deft.

This cause came on this day to be heard upon the bill and exhibits filed; and the order of publication made posted & published against the defendant; and was argued by counsel - On consideration whereof and for reasons appearing to the court, it is adjudged ordered and decreed that the plaintiff recover against the defendant the sum of thirty seven dollars and fifty cents with legal interest thereon from the 22 day of March 1854, till paid, and the costs of this suit, and unless the defendant or some one for him pay the same within 20 days from this date then that A. S. Pickens who is hereby appointed a special commissioner therefor proceed to sell ^{by public out cry at the front door of the Court House} the ^{land} in the bill mentioned ^{and attached} as belonging to said defendant or so much thereof as may be necessary to pay said debt interest and costs. The sale will be made on credit of one two and three years except so much as is necessary to pay costs which will be required to be paid down. Before proceeding to sell the commissioner will post three notices one on the front door of the Court House of said county one in the neighborhood where the land lies and one at some other public place in this county setting out time terms and place of sale. He will take bonds payable to himself as comm. with good personal re-

It is ordered that the interest of the said land in E. Callahan, the defendant, be sold by A. S. Pickens who will designate the same in a

of said county to the highest bidder

carry for the deferred payments, and report his
action to this Court. And the Cause is continued

X But the pply. is not to have the benefit of this decree
until he shall give bond as required by law, with
good security, in the penalty of \$200.⁰⁰ conditioned to
perform any future order made in the Cause upon the
defendants appearance & making defence

Annally A. Paige, Exor.

vs Decree

22

Andrew E. Callahan

Nov. 1. 1875

Exor. of Order Book

Page 47.

James W. Callahan

Enter this decree

Dec 2. 1875

J. A. K.

The deposition of Thos S Ely and
~~John A. L. Hutton~~. Taken at the Clerk's
Office of the Circuit Court of Lu County on
~~On~~ the 6th day of September 1882 and
intended to be read as evidence on behalf
of John Spauld and W^m J Hutton, on a petition
filed by them in the Chancery cause of Connally
H Fryg survivor vs vs Andrew C Callahan

Thos S Ely, a witness of lawful age being
first duly sworn deposes and says -

Question by Petitioners Did you have
an execution or copy of decree direct-
ing you to collect money from Andrew C
Callahan John Spauld & others if so who
paid. You said Execution or the money
commanded to be collected on said
decree -

Answer I had a copy of decree
read and pronounced in the
Chancery cause of John Spauld & wife^{et al}
vs Mary Callahan & others of which
Andrew C Callahan was one and
the part which Andrew C Callahan
was to pay or his part of it was \$24.00
but subject to a credit of \$2.07, ^{as admitted by the parties} This
amount was paid to me by Wm J Hutton
and John Spauld. And said sum
was for costs incurred in the above suit

for which all of said parties were jointly
liable I returned said copy of said
decrea to the Census Office satisfied in
full, but it now seems to be lost or
mislaid and cannot be found.

And further this deponent saith nat,

J. S. Ely, S. Ely

The foregoing deposition of J. S. Ely Sheriff &
was taken before me at my office in Ipswich
Vt., on the 6 Sept 1887, sworn to & subscribed,
by him, Given under my hand Sept 6/1887

J. J. Hyatt County

John Sparshott et al

vs J. Ely.

And T. Calahan

Filed Sept 6 1887

J. J. Hyatt

To the Honorable John A. Kelly, Judge of the
Circuit Court of Lee County.

The undersigned who was appointed a special
Commissioner in the chancery cause of Beamally F.
Trigg for &c. against Andrew E. Callahans, begs
leave to report, that in pursuance, with a former
decree of this court in the above named cause your
Commissioner, after duly advertising as therein di-
rected, proceeded on the first day of the Jan-
uary ^{County} Court, 1876, proceed to offer the un-divided
interest of the defendant in the hill mentioned there-
being about 77 1/2 acres, your Commissioner, therefore
offered the same by the acre, and the beneficiary plff
became the purchaser at the price of \$1.50 per acre
making the sum of \$116.25. The plffs claim on the
22 day of March 1876 will amount to \$82.50 costs of
suit to day of sale, including estimated costs \$36.77 -
Commissioners due your Commissioner \$5.81. making in all
due ~~from the~~ from the defendant \$125.08 The sales
will thus fall short of paying the plffs \$14.83. Nothing would
be gained by a new sale, since the land will not probably
bring at any time the plffs demand & costs of suit - Your
Commissioner tried to get some friend of the defendant to
take the land & pay the debt & costs but he could not
find any one who would do so, or even take the
plffs bill. He therefore recommends its confirmation
and as the plff, is entitled to the whole proceeds that a
deed at once be directed to him - The plaintiff has
given the officer of court & your Commissioner satisfactory
assurance of the payment of their costs which they accept.
All of which is respectfully submitted.

March 2^d 1876.

A. S. Perchemore Commissioner

Annally F. Trigg &c

vs } Commissioners Report
No 1.

Andrew E. Callahan

Filed Mar 2nd 1876.

James W. Orr, Clerk.

To the Honorable John A. Kelly Judge of the
Circuit Court of Lee County -

The undersigned commissioner in the
case of Connally H. Trigg Suror, against
Andrew E. Callahan, begs leave to report, that
since the filing of his former report in this
court, and the rendition of the decree of March 31
1876, and before your commissioner had time to
execute the deed therein directed, Jas T. Camp-
bell the beneficiary departed this life intestate
your court as his counsel, paid out of his
own money the greater portion of the costs
of the suit, which has never been refunded
him, and he is informed by the friends of
the infants and by administrators that they
will not pay the costs & complete the sale
made to said Campbell - The said Campbell
left as his heirs at Law Joseph F. Campbell
Mary C. Campbell and Robert R. Campbell
infant children, to whom any interest he may
have descended - Your Commissioner therefore
suggest that a rule be made against the
Guardian of said children to show
cause why said law shall not be resold
He would further state that he is now informed
said law will bring the debt interest and costs

and that such sale would be more advantageous
to the infants than the lands. Your commission
would be glad if the decree would direct a
re-payment of the costs paid on the land
in the previous sale.

All of which is respectfully submitted.

A. L. Pickensmore Commissioner.

Commissary to the King of Sweden

25 } Report - No 25

} Adm. Pickensmore

Andrew E. Callahan

Filed Aug. 10th 1878.

James W. Orr, Clerk.

To the Honorable John A. Kelly Judge of the Circuit
Court of Lee County Va

The undersigned who was appointed a Special
Commissioner, in the Case of Connally H. Trigg Sur-
or. against Andrew E. Callahan, begs leave to re-
port that pursuant to the decree last rendered in
this cause, he offered said land ^{on 20th Jan. 1880 being court day} upon the terms &
in the matter therein directed. Strating the same
at the upset bid of Wm. L. Hutton, \$262. and no
person offering a greater sum the same was
knocked down to him at that price. Your Court.
Then after the sum paid down the sum again to pay
costs ^{\$54.25} refused to Mr. Speak the former of \$47.60
cash heretofore paid by him to the officers of
Court, retained his own cash on the former sale.
\$8.10 and the residue of his costs are unpaid.
The said Hutton executed his notes ^{three in no} bearing in-
terest from the day of "Sale," for the sum each
of \$69.25 - with Andrew Johnson as security which
Your Court deems good - An respectfully re-
commends confirmation thereof. And that the bonds
of John Speak & Callahan be canceled and
returned to them. All of which is respect-
fully submitted.

Sept. 30th 1880.

A. L. Riedemore Commr.

Annally H. Trigg for

25 } Report.

Andrew E. Callahan

Filed. Feb. 20 1880.

Jas H. Orr, clerk

To the Hon. John A. Keely Judge of
the Circuit Court of Lee County Va
The undersigned a Commissioner
in the Chancery Cause of Connally F.
Liggins &c vs Geo Leane to report
that long ago Wm J. Hutton the purchaser
of the land sold him in said Cause
has in pursuance, of the decree her-
etofore directed to him collected the
full amount of the purchase money
due him under said sale, He has
paid the same over to his Client
being the owner of the debt and the
over plus, he has & has had
ready for some time ready to
pay over, but the cash has
been misplaced so that he
cannot make a report - the
purchaser ~~will~~ is therefore entitled
to a deed all of which is
respectfully submitted.
A. L. Pilemore

Ballou's L. Trigg
J. A. A.

of Report of
Com.

Arthur E. Ballou
1885

Filed March 27/1885

J. A. Hyatt
cc

Samuel F. Trigg Jr. & Co. Deft }
vs. } In Chancery
Andrew E. Callahan Deft }

To the Hon. John A. Kelly Judge of the Circuit
Court of Lee County Va.

Pursuant to your decree in this cause entered on
the 28th Inst. I have made and acknowledged for record
a deed conveying to William J. Hutton the land in the
plaintiffs bill mentioned with covenants of special warranty
and the said deed is herewith filed marked A.B.

Respectfully Submitted

A. I. Pordmon Esq.

March 30th 1885.

Canally F. Trigg for r

20. } Can. Report of deed

A. E. Bullcham cal

Filed & Mr. 1880.

J. A. Hyatt & C.

This deed made the 30th day of March 1885. Between
A. L. Pridemore commissioner of the first part, and
William J. Hutton of the second part, both of the county
of Lee State of Virginia: Witnesseth that by a decree of
the circuit court of Lee County rendered on the 28th
day of March 1885. in the chancery cause of Bonally F.
Trigg vs. against Andrew E. Callohan the said
A. L. Pridemore was appointed a commissioner and directed
to convey with covenants of Special warranty the land
in the plaintiffs bill mentioned to the said William J. Hutton.

In consideration of the premises and of an dollar to him
in hand paid the said A. L. Pridemore doth by these presents
give grant bargain sell deliver and convey unto the said
William J. Hutton a certain tract or parcel of land lying &
being in said County of Lee and on Hardys Creek, and is
the same land which was laid off and assigned to Andrew
E. Callohan by commissioners in the partition of the lands
of Ezekiel Callohan died among six of his heirs at law
and the same consists of two shares thereof adjoining each
other To have and to hold said tract or parcel of land
with all the appurtenances unto the said Wm. J. Hutton &
his heirs forever, and the said Pridemore covenants that
he will warrant specially only the title to the land conveyed
Witness the following signature & seal.

A. L. Pridemore Comr. (Seal)

Virginia Lee County to wit.

I John A. Gibson Clerk of the county court of Lee
County in the State aforesaid do certify that A. L. Pridemore
whose name is signed to the foregoing deed bearing date

March the 30th 1885 has acknowledged the same
before me in my said office to be his act and deed.
Given under my hand this 30th day of March 1885

J. A. Ensign

Clerk

William J. Hutton

From } Deed

A. L. Bidemore Grant.

(78)

To the Honorable John A Kelly
Judge of the Circuit Court of Lee
County.

Your Commissioner, the
undersigned, begs leave to state that
in pursuance to a decree rendered in
the case of Connally H. Trigg vs
Andrew E. Callahan, ~~that he~~
~~to wit~~ in pursuance to a decree
heretofore rendered in this case adver-
tised the said land, and on the first day
of the March term 1879, of this Honorable
Court, being the 27th day of said month,
at the ~~great~~ ^{let.} ~~clothing~~ ^{offert} for sale said
see to its highest bidder said land the son
of Mr Callahan, ~~et al~~ Callahan, bid
off the same for its debt interest and cost,
and the same was knocked down to him
The debt interest amount on the day of
sale, to the sum of - - - - \$15.40
the cost as estimated by the clerk \$7.70
The commission to the sum of 7.68
for advertising the sum of - - - - \$2.00
making a total of - - - - \$162.75
of which sum your court requires 47.35
be paid in hand the sum of }
leaving the sum of - - - - \$115.40
for which your commission took the
said Callahans note with John Spack

security therefor. which your Court deems
good. The said purchaser is very poor &
was unable to pay the costs required &
Mr. Speake paid that himself & had
a verbal arrangement by which if the
said Callahan could not pay all
Speake was to pay half & time half
the land. Your Commissioner has tried
several times to see this land & failed &
although the land might be regarded by
some as worth, more, - Mr. Callahan it
seems has abandoned his family, been
gone now for several years with
no hope of his return, and under these
circumstances your Commissioner deems
it advisable to ^{recommend a} ~~confirming~~ this sale, - Calla-
han has no other creditors but the
land by a decree in this Court has been
partitioned and there are some costs in that
suit which will have to be paid -
The exact amount not now known -

All of which is respectfully sub-
mitted.

A. L. Bridgman Court.

April 7th 1879.

Trigg Lane

Report of Sale
by Rev. Cens. Purinton

Leallahan.

1879 Oct 27th Filed

for H. Orr, blk

Wm. J. Hutton to the heirs
 of Ezekiel Calliham Jr.
 To a note executed to David Miller
 Comm. date first Monday in March 1878
 for the land \$96.00
 Int on Same to Nov. 1st/79 9.60
 Amount " " " 105.60
 Deduct Sarah M. Huttons Debt 27.10
 Deduct Susan Speaks Debt 47.83
 Deduct Costs of partition
 Increased vs. 'Ezekiel's' Share 12.00
 which leaves due Zekes heirs 18.67
 Divide this into 9 shares 2.07

But Hutton & Speak have a
 Judgment of \$24.00 Costs against
 John Calliham & \$24.00 Costs vs.
 Andrew and they would be en-
 titled to a Credit of \$2.07 each

John owes Hutton & Speak	\$21.93
Andrew " " " "	\$21.93
Hutton owes Parker	2.07
" " Manda	2.07
" " Polly	2.07
" " Rachel	2.07
" " Elizas heirs	2.07
" " Susan Speak	2.07
" " Retains in right of his wife	2.07

John Speak
& others

vs.

Statement

Mary Callahan
& others

(A)

Annally F. Trigg Surrogate for Plff
Against
Andrew E. Callahan --- Deft

} In Chancery
on foreign
attachment.

The interest, which the defendant owns
in his one sixth, in his own right and one sixth
by purchase from, his
co heir in a certain tract of land conveyed by
will to the defendant & others and which de-
scended to him and his co-heirs from Ezekiel
Callahan deceased and which is situated
in Whiteshoals Magisterial district near
Gray's Landing some 10 miles west of
Jonesville in Lee County Va, and is levied on
in this suit to satisfy the plff's demand of
\$37.50 with legal interest thereon from the 2^d
day of March 1853 - and also to satisfy
the further sum of \$10 ~~and~~ and interest thereon
from the 10th day of October 1857.

~~Ante~~

Annals of Trigg survey

vs 3 Lisle's

Anders E. Callahan

Annally F. Trigg who ~~married~~ ^{was} the wife
of Joseph T. Campbell.

In Charge of
Foreign & State
ment.

against
Suehrst E. Callahan

The interest which the defendant owns and is en-
titled in a certain tract of land conveyed by Wm.
Hitt, to the defendant & others, and which descended
to him and ~~his~~, co-heir from Ezekiel Leathman decd.
decane, and which is situated in Whitesides
Magisterial district, near Gradyhells, Taylor Co.
10 miles west of Jonesville in this county, is levied on
in this suit to satisfy the p^l's demand of \$37.50
with legal interest thereon from the 22^d day of
March 1853.

Kingman. He cannot state's office, for Ed. W. Clark.

The foregoing memorandum was this day filed in the office
and will be read. Test James H. Van Cleve

Annally F. Trigg Nov 4th 1841

vs *Lipencus*.

Inch. E. Callahan

Recorded in Deed book
No 17. Page 305.
John R. Gibson Secy.

Trigg

^{vs.}
Callahan

upset bid to be offered
by Wm. J. Hutton;
Miller

upset bid
to be
offered
by
J. M. Hutton

Know all men by these presents
that we William J. Hutton James
Ramey and David Miller are held
and firmly bound unto the Com-
monwealth ^{of Virginia} in the just and full sum
of Four hundred Dollars for the true
payment of which we and each
of us hereby bind ourselves our
heirs &c. jointly and severally
and we and each of us hereby
waive the benefit of all our
real and personal estate exemptions
as to this debt and obligation
Witness our hands signatures and
Seals on this the 1st day of De-
cember 1872.

The Conditions of this obligation
are such that whereas in a suit
wherein Conly F. Trigg is plaintiff
And Andrew C. Callahan is Defendant
A. L. Pridemore as Commissioner sold
at public Sale the Defendant Callahan's
land at the price of at the price
of \$162.75 on the first day of
the March term of the Circuit
Court of Lee County 1879 and
the said William J. Hutton proposes
to put in an ~~affidavit~~ bid now
if at a resale if the said William

William J. Hutton makes the said land
bring at ^{least} two hundred and sixty ^{large} ~~per~~ ~~cont~~ over the then
~~amount of the last sale then~~
the above obligation shall be
void otherwise to remain in
full force and virtue

Witness

David Miller.

^{his} William J. Hutton Seal

^{mark} David Miller Seal

^{his} James Ramey Seal
^{mark}

all and 1/2 of

Copy of
Wm. J. Hutton
Bond

Andrew G. Callahan

\$37.50

Twelve months after date I promise to pay
Cannally F. Trigg and Rev. R. Johnston Thirty seven
dollars and fifty cents for their services as counsel
to be rendered in an action of ejectment in the
District Court of the United States instituted by
Wm. W. Little against myself and others. Witness
my hand and seal this 22nd day of March 1853-

Andrew C. Hallikar, *Secy*

House of Representatives,

Washington, D. C.,

, 187 .

1 note due after 1 st Nov. and dated	
March 22 nd 1853.	\$ 37.50
Interest for. 25 th 8 ^{mo} . 13 th .	57.85-
2 note due on date dated Oct	
10 th 1853.	\$ 10.00
Interest for 19 th . 2 nd .	<u>11.50</u>
	\$ 116.85
Costs of suit.	<u>37.70</u>
	154.55-
Commission of sale. 5 th c.	<u>7.72</u>
	<u><u>\$ 162.27</u></u>

Due Johnston & Campbell Ten dollars
for value received: witness my hand
and seal This 10th Oct 1839

A. E. Balliham 

A E Callihorn
Lee County

Lee

we or either of us require to pay
to A. L. Prudden our missionary
one hundred and fifteen dollars and so on,
with interest from this date - and
third to be paid in one year, and
third in ~~three~~ years & the residue in
six years owing to this debt -
I hereby waive the benefit of my
homestead exemption ~~from~~ ^{from} my
our hands & seals this March 27. 1899

John Sheak (50)
J. Ballaham (50)

John Speake &
N. L. Callahan

50, $\frac{3}{4}$ Ounce #13.40

St. Andrew
Covr.

#37.80.

Due March 27⁸⁸

" " " 81

" " " 82

Virginia

At a circuit Court Continued and
held for Lee County at the Court House thereof Apr. 5 1882
Connally F. Trigg Surv. &c. Plff }
vs } In Chancery
Andrew C. Calliham Deft }

John Speak and Wm. J. Hutton
having filed their petition in this Cause claiming
to be Judgt. Creditors of the defendant, and who
seek to subject the fund now in the hands
of Comr. A. L. Pridemore to the payment of their
Judgment lien, and it being admitted in open
Court that the said Defendant Andrew C. Calliham
is a now resident of this state - it is ordered
that he appear here ~~within one month after~~
~~the publication of this order~~ on the first
day of the next term of this Court, to answer
said petition and show Cause if any he
can why the prayer of said petitioners shall
not be granted.

A Copy Lesto.

J. A. S. Hyatt
Clerk

I hereby certify that I posted a true
Copy of the above Order of Publication
at the front door of the Court House on
the 1st day of the June Term thereof 1882
and delivered a copy thereof to the
Lee County Sentinel for Publication
on the 20th May 1882 this June 20 1882

J. A. S. Hyatt
Clerk

Donnelly F. Triggsum
+ John Specketal
v3 Ono Pub

Andrew E. Callahan

Virginia.

A rules held in the Clerk's office of the Circuit Court of the
County, on the 8th day of July 1881.

Orally by the court for the
purpose of

Pliffy

the court.

And to be held

Sept

The object of this suit is to subject to sale the lands in the list
mentioned, owned by the defendant, and which has been attached
for the purpose for the payment of the debt in the bill, and
the plaintiff must show an affidavit filed in
the Court that the defendant is a resident of the State of
Virginia, it is therefore ordered that the plaintiff show within one
month after the publication of this order, and do what is necessary
to protect his interest in this suit.

A copy

John W. Orr, Clerk

I hereby certify that on Monday the 1st day of the July term 1881
of the County Court of the County, I acted at the Court House of said County, in copy of the above matter.

Witness my hand this day of July 1881.

John W. Orr, Clerk

Comptroller of the Treasury
1870

and the Public Lands

Department

Washington, D.C.

July 1st 1870.

James H. Brown

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Andrew C. Callahan

to appear before the Judge of the ^{Circuit} County Court of Lee County, at the Court House, in the Clerk's Office, at

July Rules next, to answer a bill in Chancery, exhibited in our said Court
against *him* by *James W. Orr*, Plaintiff, *vs* *him* Defendant, *being* obligee of himself

vs *Ben. R. Johnston*, who issues for the benefit of *Joseph T. Campbell*

And have then there this writ. WITNESS, JAMES W. ORR, Clerk of our said Court, at the Court House.

this *1st* day of *July*, 187*5*, in the *17th* year of the Commonwealth.

James W. Orr, Clerk.
A copy
Teste James W. Orr, Clerk.

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Andrew E. Ballaban

to appear before the Judge of the ^{Circuit} County Court of Lee County, at the Court House, in the Clerk's Office, at

July Rules next, to answer a bill in Chancery, exhibited in our said Court
against *him by Generaly H. Trigg answering oblique of himself*
and Ben R Johnston, who sues for the benefit of Joseph Thompson
hell

And have then there this writ. WITNESS, JAMES W. ORR, Clerk of our said Court, at the Court House,

this *1st* day of *July*, 187*8*, in the *77th* year of the Commonwealth.

James W. Orr, C. K.

720
627
93

2480
Cecily J. J. J. J. J.
is obliged to
be in
White Shoals
Magisterial District, near
Jacksburg, some 10
miles west of Knoxville in
this County, 24th July 1876.

The undersigned having been ordered in the direction of
the order, to cause this process to be served on the inter-
dicted defendant in a certain tract of land conveyed by
H. J. J. to the defendant & others, and which is situated to him
and his heirs, assigns & assigns, and which is
situated in White Shoals Magisterial District, near Jacks-
burg, some 10 miles west of Knoxville in this County, and
the same in his hands so attached, so to secure and provide, that the
same may be forthcoming and liable to the future order of the Court.
July 1st 1876.
John H. J. J. J.

VIRGINIA—At a Circuit Court continued and held for Lee County at the Court-House thereof, April 5th. 1882.

Connally F.o Trigg, surv., &c., Plff., vs. Andrew E. Callihan. Defs.—In Chancery.

John Speak and William J. Hutton having filed their petition in this cause claiming to be judgment creditors of the defendant, and who seek to subject the fund now in the hands of Comr. A. L. Pridemore to the payment of their judgment lien, and it being admitted in open court that the defendant, Andrew E. Callihan, is a non-resident of this State. It is ordered, that he appear here on the first day of the next term of this Court to answer said petition, and show cause, if any he can, why said petitioners' prayer shall not be granted. A copy—Teste:

m26-4

J. A. G. HYATT, Clerk.

DAVID R. SMITH

THE SENTINEL

DEMOCRATIC—SUBSCRIPTION, ONE DOLLAR AND FIFTY CENTS A YEAR.

FRED. R. STICKLEY, EDITOR AND PROPRIETOR

Jonesville, Va. Aug 27th 1882.

I hereby certify that a
Chancery Order of which the
annexed is a copy was printed
at successive weeks in
the "Lee County Sentinel" a weekly
newspaper published in
the town of Jonesville Va. the
said publication ending April
26th 1882 -

F. R. Stickley Subr

Printers fee \$5.00

Con. F. Trigg
No 3 Pub. certificate
Andrew E. Callahan

D. Lee 5.00

I do hereby certify that annexed order
of publication was printed in the "Lee
County Sentinel," a weekly newspaper
published in the Commonwealth of
Virginia, four consecutive weeks, ending
July 30th 1875.

Charles Willoughby
Ed. of "Sentinel"

Virginia:—At Rules held in the
Circuit court of Lee county, of the 5th day
of July, 1875.

Connally F. Trigg, survivor &c. for &c. Pltf.
against
Andrew E. Callahan, Dctf.
IN CHANCERY.

The object of this suit is to subject to
sale the lands in the bill mentioned, own-
ed by the defendant, and which has been
attached for the purpose, for the payment
of the debt in the bill mentioned due the
plaintiff, and it appearing from an affida-
vit filed in the cause, that the defendant
is a nonresident of the State of Virginia,
it is therefore ordered that he appear
here within one month after due publica-
tion of this order, and do what is necessary
to protect his interest in this suit.

A Copy—Teste:
JAMES W. ORR, Clerk.

Certificate
Order of Publication

C. F. Trigg for re. Cliff

92 3/4

A. E. Cullatun. Right

1874
1854
20

77 1/2

130

3850

7775

7116.25

5.81 25

37.50

2.25-00

20

45.00

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8250

36.77

Comp. 5.81

125.08

116.25

14.83

116.25

121

1.25